

Iron County Register

E. D. AKE, EDITOR.

VOLUME XXVI. NUMBER 30.

IRONTON, MO., JANUARY 26, 1893.

EVERY one is commending the wisdom Speaker Mabrey has displayed in forming his committees. Much is expected from this legislature by the people and we hope the masses will not be disappointed.

The newspaper men are still spending their time trying to find out who will compose President Cleveland's Cabinet. It seems to be a matter entirely of guess, however, and no one who is informed can be induced to say anything on the question.

An exchange makes the following statement: "Men have various ways of carrying money. Butchers, grocers and bakers carry it in a big crumpled wad. Bankers carry it in nice clean bills laid in full length in a morocco pocket book. Brokers always fold their bills twice. The young business man carries his money in his vest pocket, while the sport carries his in his inside vest pocket. Editors carry their money in other people's pockets."

It is reported that the State University will only ask for a \$300,000 appropriation this session of the Legislature. It appears to us that all institutions fostered by the state should be so conducted as to render assistance to the citizens thereof. It is certainly a fact that an education can be obtained at private institutions of learning more cheaply than our State University, and if such be a fact, what benefit do the taxpayers derive from the immense appropriations which have been made in the interest of our State University? We hope that those of our Representatives who have the interest of our state at heart will remember that thrift follows economy and not extravagance.—*Van Buren Local.*

The foregoing echoes our sentiment exactly. Not a dollar should the State University receive from the present legislature. Too long has the State Treasury been drained for the benefit of the town of Columbia.

The city government of De Soto is warring with the gamblers that have infested the town for a long time past. Recently a number of detectives were brought from St. Louis to watch the "sports," and in time a number of arrests followed. Following is the manner in which the *Facts* exultingly talks of the result in the courts: "We doubt if there will be any more appeals taken to the circuit court by the gamblers, the reception they have met with having been anything but cordial. As stated in last week's *Facts* Wilkinson received a \$100 fine and in the case that was tried before a jury the defendants were assessed \$75 and costs. The thanks of all good citizens are due Judge Green for his decision and for his instructions to the jury, and to the jury for placing the fine at a sum in keeping with the enormity of the offense. When we realize that the money won by these parties is taken from those who cannot afford to lose it, and whose wives and children are the sufferers, it seems that no punishment would be too severe. Another class of citizens who suffer from the fraternity are the merchants who are unable to collect their bills, and consequently are put to great loss and inconvenience by failure to obtain their money. The gamblers are a detriment to the city and it is hoped that the officers will put forth every effort all the time, to stop their business or make it so unprofitable that they will have to seek other fields of labor."

Mr. Jordan's Response.

Ed. Register—I have carefully read and attempted to digest what you have to say in your issue of January 19th, 1893, with reference to "soiled doves" and others committing the offense of burglary and larceny in breaking a lock and stealing some chickens in the upper part of Iron County, belonging to Mr. Dewit. In my own judgment I feel satisfied that you censure me, as the prosecuting officer of this county, without cause, for not prosecuting the parties referred to. The reflections upon me in your editorial show that you have an interest as a citizen and as an editor in the prosecution and suppression of crime, and in vindicating our law, that is commendable in you; but the rebuke is not merited by me. You take the position that as Mr. Dewit, the owner of the property and of the premises, refuses to swear out a warrant, it then becomes my duty to do so. From what I have heard from you, the sheriff, constable and collector, neither of you could go on the witness stand and swear to a single fact connected with the case, except perhaps the general reputation of the "soiled doves" aforesaid—and that would not be competent in this case until they first went on the witness stand in their own behalf. From the history of the case, as I have learned it from the parties I have mentioned, you expect men to prosecute the accused in my official capacity.

As you state it, the offense is a felony, and it is the duty of the owner of the property to either make an affidavit or inform the grand jury; the latter he can do by giving the prosecuting attorney a list of his witnesses.

But for the purpose of my vindication I will confine myself to the petty larceny of the chickens, and then come to some understanding from the light on the subject authorities herein cited.

The statute provides that all prosecution of cases of this character must be by an affidavit of some person filed with the justice or deposited with the prosecuting attorney, or that the prosecuting attorney, on his own knowl-

edge, can institute the proceedings. The supreme court and court of appeals hold that the prosecuting attorney's own knowledge must be his personal knowledge; personal knowledge, as I understand it, is such knowledge as we gather direct and in person, without the intervention of another.

In the case of the State of Mo. vs. Humble, 34 Mo. Appeals Report, 343, there is an information filed by the prosecuting attorney, subscribed and sworn to on his information and belief; the defendant was convicted in the circuit court and the judgment reversed and the defendant discharged in the appellate court upon the question that the prosecuting attorney did not have personal knowledge of the commission of the offense. The court says, "the statutory provisions taken by themselves, or in connection with other sections, no where countenance the idea that such an information can be based upon the bare information and belief of the prosecuting attorney, and unless that information and belief has for its foundation an affidavit made by a person who has knowledge that an offense has been committed, which must either accompany the information or be referred to therein, it is insufficient to authorize the filing of such criminal information by the prosecuting attorney." In the 36 Mo. App., page 373, the question of personal knowledge is discussed. The court, among other things, says: "The personal knowledge contemplated need not embrace the knowledge of all the facts necessary to establish the guilt of the person sought to be charged in its entirety, but the person making the complaint, or the prosecuting attorney, ought to have some personal knowledge of some facts and circumstances pointing to the guilt of defendant. The primary object of the statute is to prevent and suppress crime, but at the same time not to subject persons to prosecutions without probable cause; and, in order to prevent the latter, the legislature has required information before justices of the peace to be predicated on personal knowledge as distinguished from mere rumor." In the 43 Mo. App. R., 443, the subject of personal knowledge of the prosecuting attorney, or of an informer, is again one of the questions therein decided, in which the court says, "a criminal information before a justice of the peace must be based upon the personal knowledge either of the prosecuting attorney or of an informer."

From the authority of the appellate courts prescribing the rule for my official conduct and defining for my personal knowledge, I take it that the REGISTER doesn't believe that I have personal knowledge of the "soiled doves" and others stealing chickens.

The supreme court, in a late case, I understand, have overruled the authority herein cited, but I have no official report of the opinion, and do not know that it is so. When I get it and conclude they have changed the rule and have authorized prosecuting attorneys, on their own motion, to file informations predicated upon general rumor—if that rumor can satisfy me there is any chance for a conviction—I would, in cases like this, institute the prosecution; but in my opinion would regard the rule to be a very dangerous precedent to establish, as a great many of us have the prospective conviction fee only in view.

In conclusion, allow me to say that I am guided by the same rules in the capacity of city attorney, and I do not regard it as the best of citizenship in any one to be continually complaining to the public and through the columns of your paper about the various offenses committed against them and their property. With the ample provisions already made by our legislature to suppress and punish crime, there is nothing in the way of my prosecuting these people, except a chance to do so. I am not ruled through the spirit of fear, favor or affection in the matter. They should be punished. The law should be vindicated; everything that one possibly brought to bear that would have a tendency to elevate our community should be done. My office is the middle left-hand door as you enter the courthouse from the east, where a sign with my name on it swings to the breeze.

J. S. JORDAN,
Prosecuting Attorney.

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Those who have used Dr. King's New Discovery know its value, and those who have not, have now the opportunity to try it free. Call on the advertised Druggist and get a trial bottle. Free. Send your name and address to H. E. Bucklen & Co., Chicago, and get a sample box of Dr. King's New Life Pills Free, as well as a copy of Guide to Health and Household Instructor. Free. All of which is guaranteed to do you good and cost you nothing at P. R. Crisp's Drug Store.

Crane Pond Items.

Ed. Register—Cold weather still continues, but we are having bright days again.

Tenniesse, is visiting friends and relatives here this winter.

Jake O'Bannon who is working at Sedgwick, Arkansas, was at home for a few days this week.

Died—Little James Russell, of brain fever. The little fellow was ill only a few days.

Jeff. Brewington has a child very sick with white swelling.

C. C. Russell is very ill with consumption, and it is feared he will not be with us much longer.

Zach. Key's father and mother are visiting this winter.

Mr. Hilderbrand went to St. Louis the first of the week to spend the winter with his son.

William Fowler is putting up a sawmill on Leatherwood creek; we wish him success in the new enterprise.

Jas. Carnahan and wife are visiting his father and mother, Mr. and Mrs. John Carnahan.

Albert Radford, who got so severely cut with a knife in a row at a party a few weeks ago, is fast recovering, and will soon be able to go to work again.

Such cases as this should teach the youths of this neighborhood the evil that may come from a little too much "corn juice."

The hoop business is flourishing in this vicinity at present.

The hog buyers are in our midst and are buying all they can get; "bacon

will be bacon" next summer, and the people who have it to buy will suffer.

J. L. Hickman was in Iron County a few days this week on business.

Our school closed a few days ago; our teacher, Mr. Hickman has taught one of the best—if not the best schools that we have ever had. Mr. Hickman and his pupils prepared for us an entertainment which was given on the night of the last day of school; it was a grand success, and was well attended in spite of the cold weather.

Personal.

Mrs. P. R. Crisp is in St. Louis, whither she was called by the death of her cousin, Mrs. Geo. Berkley.

J. R. Baldwin has returned from a trip to Chicago.

Thos. Jones has returned from Arkansas.

Dr. J. J. Norwine of Bismarck was in town last Friday.

W. A. Flowers, wife and daughter of Eldon, Iowa, are visiting relatives in the Valley.

Chas. Patton of West Plains is visiting in Iron County.

Jas. T. Parker, the agent at Middlebrook, is taking a lay off.

Mrs. A. Roehry and children leave for St. Louis to-day.

P. R. Crisp, druggist, desires to inform the public that he is agent for the most successful preparation that has yet been produced, for coughs, colds and croup. It will loosen and relieve a severe cold in less time than any other treatment. The article referred to is Chamberlain's Cough Remedy. It is a medicine that has won fame and popularity on its merits, and one that can always be depended upon. It is the only known remedy that will prevent croup. It must be tried to be appreciated. It is put up in 50 cent and \$1 bottles.

THE ST. LOUIS REPUBLIC FREE

Special Offer to Readers of This Paper.

Good only during January and February, 1893.

The "Twice-a-Week" St. Louis Republic, will be sent free for one year to any person sending, before March 1, 1893, a club of three new yearly subscribers, with three dollars to pay for the same. The Republic goes everywhere, and is the most popular paper published in America. Its readers get the news half a week earlier than it can be had from any weekly paper, while its Literary, Agricultural, Women's and other departments are unsurpassed. It fills the wants of every member of the family, and should be read in every household. You can get three new subscribers for it, by a few minutes' effort. Try it, at once, and see how easily it can be done. If you wish a package of sample copies, write for them. Cut out this advertisement and send with your order. Address, THE REPUBLIC, St. Louis, Mo.

When Baby was sick, we gave her Castoria.
When she was Child, she cried for Castoria.
When she became Miss, she clung to Castoria.
When she had children, she gave them Castoria.

Lane's Medicine Moves the Bowels Each Day. In order to be healthy this is necessary.

Notice of Copartnership.

We have this day associated ourselves, under the firm name of B. Zwart & Son, to carry on a general collection, insurance and real estate agency, and offer our services as such to our friends and the public generally, assuring them of promptness and fair dealing in all matters entrusted to our care. Law matters will be attended to by the Senior member, as heretofore.

BERNARD ZWART,
JOSEPH A. ZWART.

Iron County, Mo., January 2d, 1893.

Children Cry for
Pitcher's Castoria.

AYER'S HAIR VIGOR

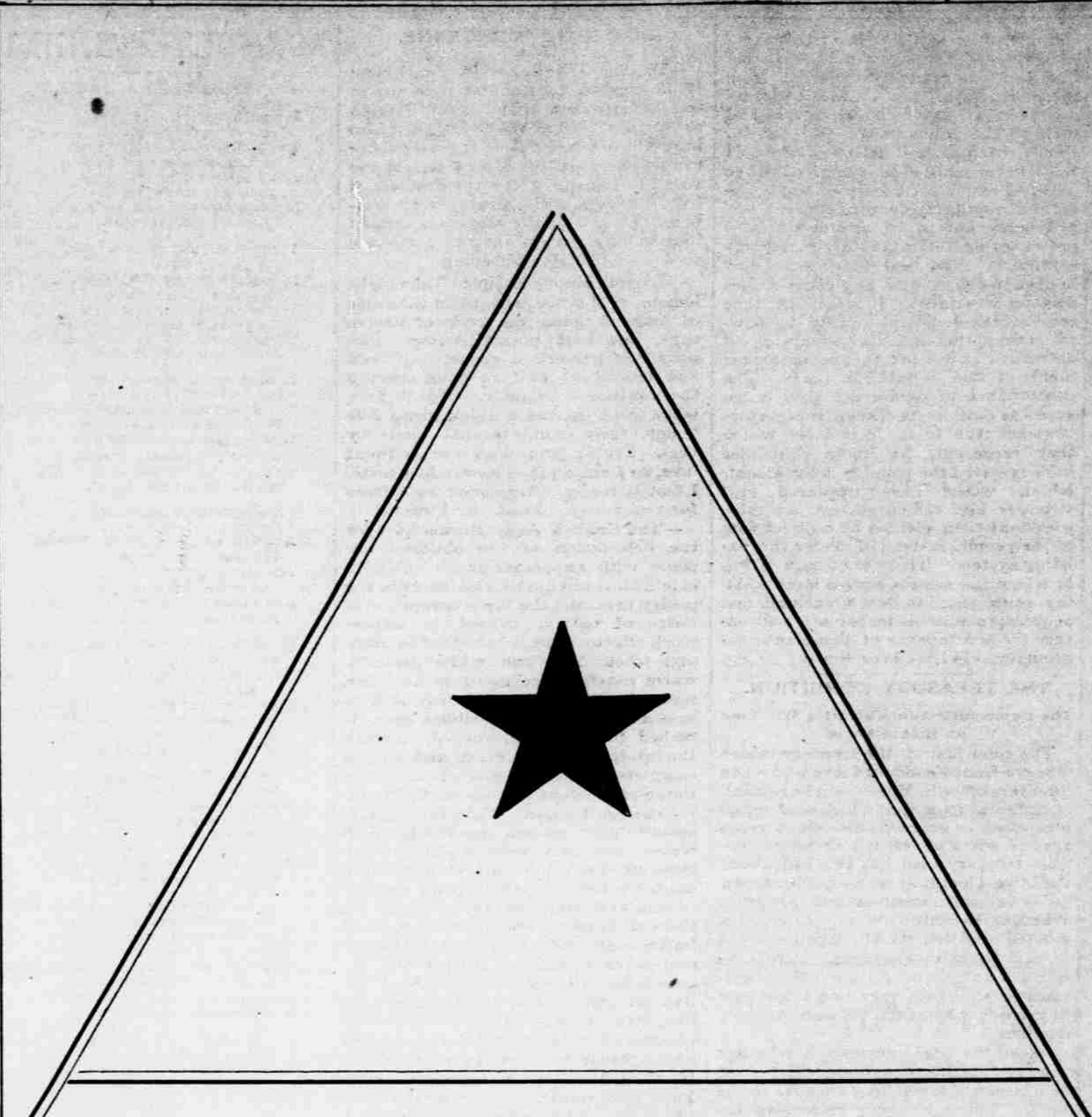
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clean, cool, healthy.

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which has become
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Dr. J. C. Ayer & Co.
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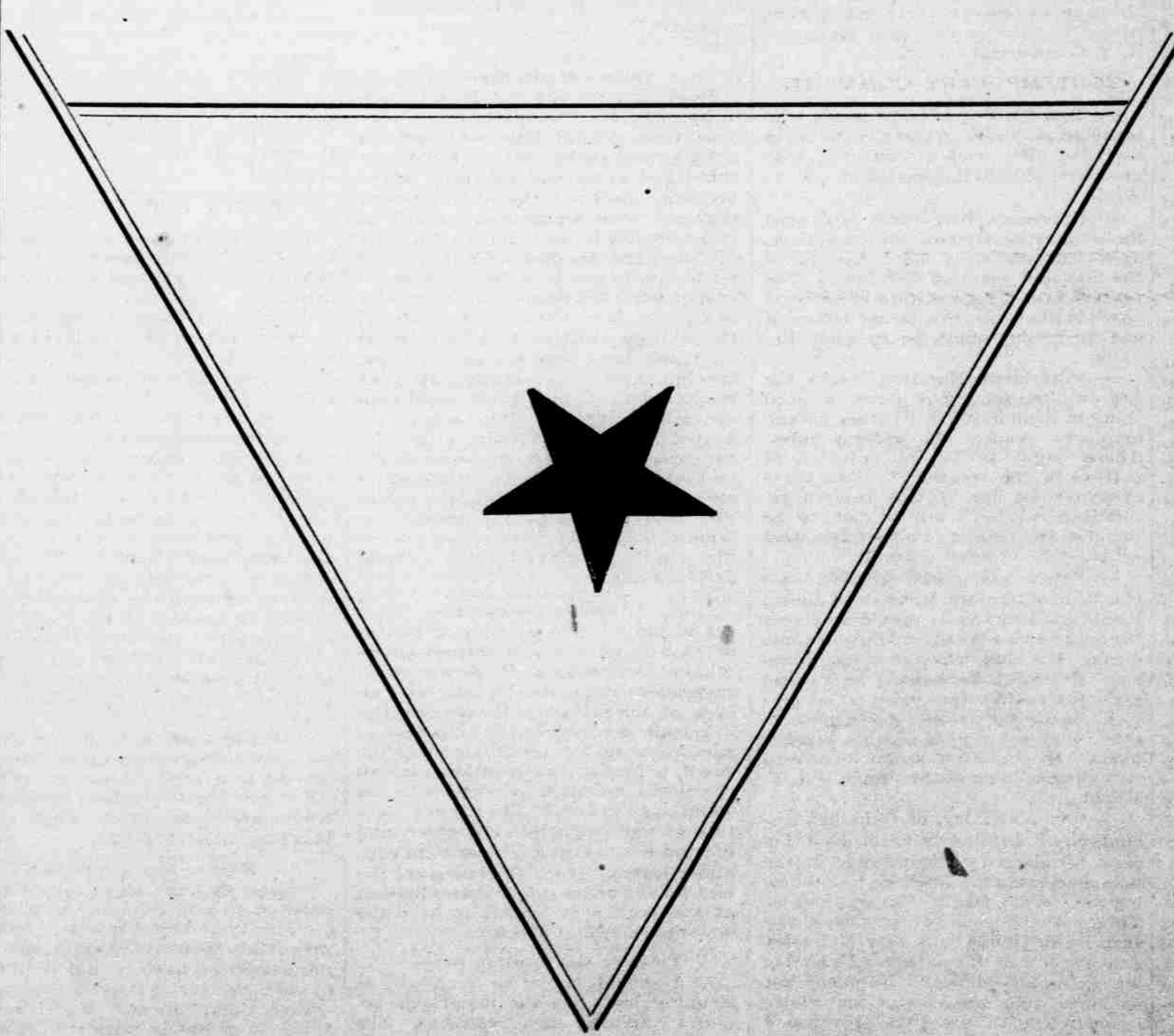
From now until March 1st, we will make
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All Winter Goods,

in order to CLOSE OUT our Winter Stock, as
we do not believe in carrying Goods over,
from one year to another. Remember! "Reduction" means

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TAKE
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REDTINE
I TAKE
A
PLEASANT
HERB
DRINK

THE NEXT MORNING I FEEL BRIGHT AND
NEW AND MY COMPLEXION IS BETTER.
My doctor says it acts gently on the stomach, liver
and bowels, and is prepared for use as easily as
tea. It is a certain cure for indigestion, and
all the ailments of the stomach and bowels.
LAWSON'S MEDICINE
All druggists and chemists sell it. For free samples,
send your name and address to Lawson's Medicine
Company, 100 N. 3rd St., St. Louis, Mo.
GOLD MEDAL F. WOODWARD, LONDON, ENGLAND.

ORDER OF PUBLICATION.

STATE OF MISSOURI, ss.
County of Iron, ss.
In the Probate court for the county of Iron,
November Term, 1892.
Now on this day comes Simeon G. Shular,
administrator of the estate of Mary Sinclair,
late of said county, deceased, and presents
to the court his petition praying for an order
for the sale of certain real estate of which
said Mary Sinclair, died, seized, described as
follows:
North part of the northeast quarter of the
southwest quarter, of section 23, township 22,
range 4 east, in the county of Iron, State of
Missouri, to pay the debts of said Estate;
which said petition was accompanied by the
accounts, lists and inventories as required by
law, showing that said estate is indebted, and
that said debts are unpaid, and that there is
not sufficient assets on hand to pay the same.
On examination thereof, it is ordered by
the court, that all persons interested in the
estate of said deceased, be notified that applica-
tion as aforesaid, has been made, and
that unless the contrary be shown on or be-
fore the first day of the next term of this
court, to be held on the first Monday of
February, next, an order will be made for
the sale of the real estate in said petition de-
scribed, or so much thereof as shall be suffi-
cient for the payment of said debts, and the
expenses of said debts, and the expenses of
such sale. And it is further ordered that
this notice be published in some newspaper
published in said county of Iron, for four
weeks prior to the next term of this court.
A true copy. Attest:
[SEAL] FRANK DINGER,
Judge of Probate and Ex-Officio Clerk.

ORDER OF PUBLICATION.

STATE OF MISSOURI, ss.
County of Iron, ss.
In the Probate court for the county of Iron,
November Term, 1892.
Now on this day comes J. T. Ake, admin-
istrator of the estate of Arminta Charlton,
late of said county, deceased, and presents
to the court his petition praying for an order
for the sale of certain real estate of which
said Arminta Charlton, died, seized, described
as follows:
Lot number three, in block number two, in
the town of Chaverville, county of Iron, state
of Missouri, to pay the debts of said Estate;
which said petition was accompanied by the
accounts, lists and inventories as required by
law, showing that said estate is indebted, and
that said debts are unpaid, and that there is
not sufficient assets on hand to pay the same.
On examination thereof, it is ordered by
the court, that all persons interested in the
estate of said deceased, be notified that applica-
tion as aforesaid, has been made, and
that unless the contrary be shown on or be-
fore the first day of the next term of this
court, to be held on the first Monday of
February, next, an order will be made for
the sale of the real estate in said petition de-
scribed, or so much thereof as shall be suffi-
cient for the payment of said debts, and the
expenses of such sale. And it is further
ordered that this notice be published in said
county of Iron, for four weeks prior to the
next term of this court.
A true copy. Attest, with seal, this 10th of Decem-
ber, 1892.
[SEAL] FRANK DINGER,
Judge of Probate and Ex-Officio Clerk.

Administrators' Notice.

Notice is hereby given, that Letters Treas-
tury upon the estate of Joseph H.
Thompson, late of Iron County, deceased, have
been granted to the undersigned, Joseph
Thompson, by the Probate Court of the County
of Iron, bearing date the 20th day of De-
cember, 1892.
All persons having claims against said estate are
required to exhibit them to me for allowance with-
in one year after the date of said letters, or they
may be precluded from any benefit of such claims,
and if such claims be not exhibited within one
year from the date of the publication of this notice,
they will be forever barred.
J. H. JOSEPH THOMPSON, Executor.